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RELEASE

**U.S. District Court
District of Nebraska (8 Omaha)
CRIMINAL DOCKET FOR CASE #: 8:21-mj-00307-MDN-1**

Case title: USA v. Osumanu
Other court case number: 3:21CR71 USDC - Southern District
of West Virginia

Date Filed: 05/28/2021

Assigned to: Magistrate Judge Michael D.
Nelson

USA v. Abdul Osumanu
3:21-cr-00071

Defendant (1)**Abdul Osumanu**

represented by **Karen M. Shanahan**
FEDERAL PUBLIC DEFENDER'S
OFFICE - OMAHA
One Central Park Plaza
222 South 15th Street
Suite 300N
Omaha, NE 68102
(402) 221-7896
Fax: (402) 221-7884
Email: karen_shanahan@fd.org
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints**Disposition**

(Counts I and II)18:1341 MAIL FRAUD;
 (Counts III and IV)18:1343 WIRE
 FRAUD; (Count V)18:1956(h) MONEY
 LAUNDERING CONSPIRACY and
 (Count VI)18:2315 RECEIPT OF
 STOLEN MONEY

Plaintiff**USA**represented by **Crystal Correa**

ASSISTANT UNITED STATES
 ATTORNEY - OMAHA

1620 Dodge Street
 Suite 1400

Omaha, NE 68102-1506

402-661-3700

Fax: 402-345-5724

Email: crystal.correa@usdoj.gov

ATTORNEY TO BE NOTICED

Designation: Assistant U.S. Attorney

Date Filed	#	Docket Text
05/28/2021	<u>1</u>	RULE 5 COMPLAINT - (COPY OF INDICTMENT from USDC-Southern District of West Virginia, Charleston, case no. 3:21cr71) as to defendant Abdul Osumanu. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (LAC) (Entered: 05/28/2021)
05/28/2021	<u>2</u>	RESTRICTED HEARING INSTRUCTIONS AND ORDER as to defendant Abdul Osumanu. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(e). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. Rule 5 Hearing set for 6/1/2021 at 3:15 PM by video conferencing before Magistrate Judge Susan M. Bazis. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 05/28/2021)
06/01/2021	5	TEXT MINUTE ENTRY for proceedings held on 6/1/2021 before Magistrate Judge Susan M. Bazis as to defendant Abdul Osumanu. Rule 5 Hearing held. Defendant consents to proceed by video conference. Defendant requests counsel. Federal Public Defender appointed to represent the defendant. Identity Hearing waived. Detention Hearing held. Government's oral motion for detention is denied as to flight. Defendant released on conditions. Rule 5 order forthcoming. Appearance for Plaintiff: Crystal Correa, USA; Appearance for Defendant: Karen M. Shanahan, FPD; Appearance for Pretrial: Julie Gust; Courtroom Deputy: Kristy Furey; Court Reporter: Digital Recorder. No interpreter used during hearing. Time Start: 3:19 PM; Time Stop: 4:04 PM; Time in Court: 45 Minutes. (KLF) (Entered: 06/01/2021)

06/01/2021	<u>6</u>	ORDER APPOINTING COUNSEL - The Federal Public Defender for the District of Nebraska is appointed to represent the defendant in this matter as to defendant Abdul Osumanu. Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 06/01/2021)
06/01/2021	<u>7</u>	ORDER SETTING CONDITIONS OF RELEASE as to defendant Abdul Osumanu. ACCESS TO THE PDF DOCUMENT IS RESTRICTED TO CASE PARTICIPANTS AND THE COURT PURSUANT TO THE E-GOVERNMENT ACT AND FEDERAL RULE OF CRIMINAL PROCEDURE 49.1(a). ALL COUNSEL OF RECORD IN MULTI-DEFENDANT CASES MAY ACCESS THIS DOCUMENT. (E-mailed to USM) Ordered by Magistrate Judge Susan M. Bazis. (KLF) (Entered: 06/01/2021)
06/01/2021	<u>9</u>	WAIVER of Rule 5 Hearings - right to Identity Hearing waived by Attorney Karen M. Shanahan as to defendant Abdul Osumanu. (LKO) (Entered: 06/02/2021)
06/01/2021	<u>10</u>	RULE 5 ORDER - that the defendant is held to answer in the prosecuting district as to defendant Abdul Osumanu. Ordered by Magistrate Judge Susan M. Bazis. (LKO) (Entered: 06/02/2021)
06/02/2021	<u>8</u>	🔊 AUDIO FILE. Audio as to Defendant (1) Abdul Osumanu. Court Date & Time [6/1/2021 3:19:56 PM]. File Size [10739 KB]. Run Time [00:44:45]. (Rule 5 Hearing). (auto-docket). (Entered: 06/02/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ABDUL OSUMANU,

Defendant.

8:21MJ307

ORDER

The court has been presented a Financial Affidavit (CJA Form 23) signed by the above-named defendant in support of a request for appointed counsel. After a review of the Financial Affidavit, I find that the above-named defendant is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS ORDERED:

The Federal Public Defender for the District of Nebraska is appointed to represent the above named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file an appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska.

DATED this 1st day of June, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABDUL OSUMANU,

Defendant.

**ORDER SETTING CONDITIONS OF
RELEASE**

Case Number: 8:21MJ307

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant must not commit any offense in violation of federal, state or local law while on release in this case.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must immediately advise the court, defense counsel and the U.S. attorney in writing before any change in address and telephone number.
- (4) The defendant must appear at all proceedings as required and must surrender for service of any sentence imposed as directed.

The defendant must next appear at (if blank, to be notified):

Sidney L. Christie Federal Building, 845 Fifth Avenue, Huntington, West Virginia 25701

before Honorable Cheryl A. Eifert, Magistrate Judge at 1:30 p.m. on June 8, 2021

ADDITIONAL CONDITIONS OF RELEASE

Upon finding that release subject to the above conditions will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community,

IT IS FUTHER ORDERED that the release of the defendant is also subject to the following conditions.

Third Party Custodian

- ☒ The defendant is placed in the custody of
Jay Mims
(Name of person or organization)
2429 South 48 Avenue
(Address)
Omaha, NE 68106
(City and State)
402-596-5927
(Telephone)
who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Signed: s/Jay Mims as sworn to at video conference hearing 6/1/2021
Custodian or Proxy Date

Court Supervision and Restrictions. The defendant must:

- ☒ (a) Truthfully report to the United States Probation and Pretrial Services Office as directed [telephone no. (402) 661-7555] and comply with their directions.
- ☒ (d) Maintain or actively seek employment.
- ☒ (f) Obtain no passport. Surrender any passport to U.S. Pretrial Services.
- ☒ (g) Abide by the following restrictions on personal associations, place of abode, or travel: Not leave Douglas and Sarpy Counties, Nebraska and Southern District of West Virginia for court purposes or meeting with defendant's attorney **unless pre-approved by the supervising officer or the Court.**
- ☒ (h) Avoid all contact, directly or indirectly, with any persons, who are or who may become a victim or potential witness in the subject investigation or prosecution or co-defendant .
- ☒ (s) Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
- ☒ (t) Make a full disclosure of his/her finances and submit to an audit of his/her financial documents, at the request of the supervising officer. The defendant is prohibited from incurring new credit charges or opening addition lines of credit without the approval of the supervising officer.
- ☒ (u) If directed by the supervising officer, notify third parties of risks that may be occasioned by the defendant's criminal record or personal history, and must permit the supervising officer to make such notification and to confirm the defendant's compliance with notification requirements.
- ☒ (y) Not use the internet for contacting others for financial reasons and/or romantic reasons.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence must be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you must be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you must be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you must be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you must be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender must be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

ACKNOWLEDGMENT OF DEFENDANT

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

s/Abdul Osumanu as sworn to at video conference hearing

Signature of Defendant

3618 Farnam Street, #201

(Address)

Omaha, NE 68131

(City and State)

304-710-5797

(Telephone)

DIRECTIONS TO UNITED STATES MARSHAL

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions of release. The defendant must be produced before the appropriate judicial officer at the time and place specified, if still in custody.

DATED: June 1, 2021

s/ Susan M. Bazis
U.S. Magistrate Judge

UNITED STATES DISTRICT COURT

for the
District of Nebraska

United States of America

v.

Abdul Osumanu

Defendant

Case No. 8:21MJ307

Charging District's Case No. 3:21CR71

**WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)**

I understand that I have been charged in another district, the *(name of other court)* _____
USDC - Southern District of West Virginia

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 06/01/2021

s/Abdul Osumanu as sworn to at video conference hearing

Defendant's signature

s/Karen M. Shanahan as sworn to at video conference hearing

Signature of defendant's attorney

Karen M. Shanahan

Printed name of defendant's attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA

Plaintiff,

vs.

ABDUL OSUMANU

Defendant.

8:21MJ307

3:21CR71

Magistrate Judge Bazis

RULE 5 ORDER

An Indictment and Warrant (charging document) having been filed in the Southern District of West Virginia, charging the above-named defendant with Counts 1 & 2: Mail Fraud, Counts 3 & 4: Wire Fraud, Count 5: Money Laundering Conspiracy, and Count 6: Receipt of Stolen Money and the defendant having been arrested in the District of Nebraska, proceedings to commit defendant to another district were held in accordance with Fed.R.Cr.P. Rule 5. The defendant had an initial appearance here in accordance with Fed.R.Cr.P.5 and was informed of the provisions of Fed.R.Cr.P.20.

Additionally, defendant

- ☒ Waived an identity hearing and admitted that he was the person named in the aforementioned charging document.
- ☒ The government did move for detention.
- ☒ Was given a detention hearing in this district.

Accordingly, it is ordered that the defendant is held to answer in the prosecuting district.

- ☒ Defendant has been released in accordance with the provisions of the Bail Reform Act of 1984, 18 U.S.C. § 3141 et.seq. The defendant is to appear before the district court of the prosecuting district at such times and places as may be ordered. All funds, if any, deposited on behalf of this defendant with the Clerk of Court pursuant to the Bail Reform Act, shall be transferred to the prosecuting district.
- ☒ Initial Appearance is set at 1:30 p.m. on June 8, 2021 before Magistrate Judge Cheryl A. Eifert in USDC - Southern District of West Virginia.

IT IS SO ORDERED.

DATED: June 1, 2021.

s/ Susan M. Bazis
U.S. Magistrate Judge